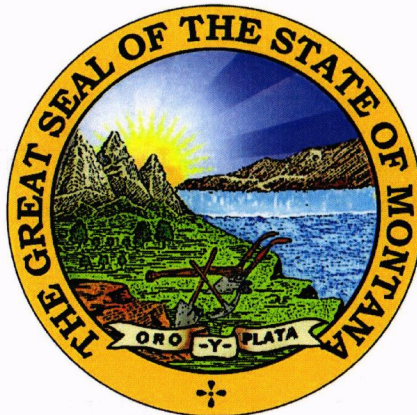


Montana Water Court
Report to the
Water Policy Interim Committee

September 2020



Decree Issuance Update

Decrees in an Objection Period:

Basin	Name	Date Decree Issued	Original Objection Deadline	1 st Extended Deadline	2 nd Extended Deadline	Counter Objection Deadline	NOIA Deadline	Objections Rcd as of 9/1/20
39E	Box Elder Creek	2/5/20	8/3/20	n/a	n/a	10/26/20		597
40N	Rock Creek, Tributary of Milk River	6/17/20	12/14/20					0
40H	Big Sandy Creek	6/17/20	12/14/20					0
40D	Big Dry Creek	8/19/20	2/15/21					0

First Decrees remaining to be Issued:

Basin	Name	Status
76L	Flathead River, below Flathead Lake	Summary report received. Stay in place for Preliminary Decree until January 10, 2023.
76LJ	Flathead River, to and including Flathead Lake	Summary report received. Stay in place for Preliminary Decree until January 10, 2023.

Next Up for Issuance of Decree:

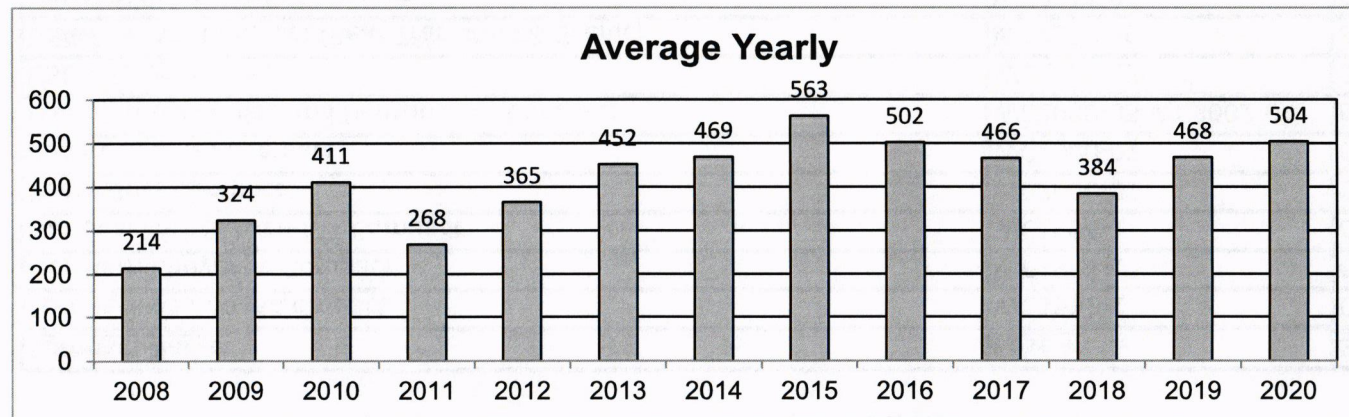
Basin	Name	Anticipated Receipt of Summary Report from DNRC	Issuance of Preliminary or Interlocutory Decree	Master
40E	Missouri River, between Musselshell River and Fort Peck Dam	9/2/2020	Preliminary Decree to be issued September, 2020	Eyvind
41K	Sun River	9/10/2020	Preliminary Decree to be issued Fall, 2020	Nate
40Q	Poplar River	September, 2020	Interlocutory Decree to be issued Fall, 2020	Anna
40R	Big Muddy Creek	September, 2020	Interlocutory Decree to be issued Fall, 2020	Anika
76D	Kootenai River	November, 2020	Preliminary Decree to be issued upon receipt of Summary Report	Colton
41Q	Missouri River, from Sun to Marias Rivers	End of December, 2020	Interlocutory Decree to be issued upon receipt of Summary Report	Maddy
41I	Missouri River, above Holter Dam	Early 2021	Preliminary Decree to be issued upon receipt of Summary Report	Melissa

Claim Closing by Month Comparison 2008-Current

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Avg
2008	193	140	442	259	216	64	141	136	81	292	88	523	214
2009	444	215	474	260	277	341	249	387	476	176	178	414	324
2010	400	362	393	651	177	450	745	200	189	452	382	542	411
2011	211	146	646	343	423	253	148	374	198	161	152	166	268
2012	433	283	315	391	315	441	222	339	527	503	304	306	365
2013	475	429	523	417	202	378	569	295	272	380	136	507	452
2014	459	510	536	539	605	908	355	317	299	607	245	259	469
2015	910	507	482	627	366	365	545	447	867	557	634	447	563
2016	317	718	692	667	967	342	574	262	405	315	429	335	502
2017	297	476	625	415	371	549	401	518	568	559	346	468	466
2018	617	546	723	345	450	302	261	258	223	260	177	451	384
2019	557	247	494	457	657	318	552	420	380	549	285	703	468
2020	464	416	597	575	421	706	351	505					504

Claim Closure by Type:

Type	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20
Objections	265	117	170	137	163	112	81	243	163	103	174	114	54	167	97	50
Motions to Amend	7	6	3	4	9	6	4	6	35	0	1	0	1	59	4	0
Certification	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Action	31	42	10	20	17	13	7	213	17	32	18	9	12	28	21	32
Issue Remarks	354	153	369	259	191	418	193	241	249	281	404	452	354	452	229	421
Exempt Petitions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Total	657	318	552	420	380	549	285	703	464	416	597	575	421	706	351	505



Compact Status

<u>Compact Name</u>	<u>Case #</u>	<u>Status</u>
Fort Peck-Montana Compact	WC1992-1	CLOSED
Northern Cheyenne Compact	WC1993-1	CLOSED
National Park Service-MT Compact	WC1994-1	CLOSED
Rocky Boys Compact	WC2000-01	CLOSED
Red Rock Lakes Compact	WC2000-02	CLOSED
USFWS Black Coulee and Benton Lake Compact	WC2000-03 WC2002-04	CLOSED
USDA Forest Service	WC2007-03	CLOSED
USA-BLM-MT Compact (Bear Trap/Wild & Scenic)	WC2008-10	CLOSED
National Bison Range Compact	WC2011-01	CLOSED
Crow Tribe Compact	WC2012-06	CLOSED
Bowdoin National Wildlife Refuge Compact	WC2013-04	CLOSED
USDA Fort Keogh Research Station	WC2014-07	CLOSED
USDA Sheep Experiment Station	WC2014-06	CLOSED
Charles M. Russell National Wildlife Refuge	WC2015-05	CLOSED
BLM-Upper Missouri River Breaks National Monument	WC2015-06	CLOSED
Blackfeet Tribe Compact	WC2018-06	OPEN
Fort Belknap Indian Reservation		Not yet at Water Court
Confederated Salish and Kootenai Tribes of the Flathead Reservation		Not yet at Water Court

Preparation for Final Decree Issuance

Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 9/1/20	Open Claims 9/1/20	Compact Complete	Basin Wide Objections Open	Exempt Petitions Filed	Late Claims (Action needed)	Mis-basined/ Missed Decree Claims	Pending Motions to Amend (# of claims)	Master
76GJ	751	08/08/17		96.1%	29	Pending	yes	136	0	0	1	Kathryn
43D	1455	09/10/18		62.7%	543	Pending	no	583	0	0	1	Anna S.
40A	2850	11/26/18		38.2%	1761	Pending	no	830	0	0	9	Melissa
40C	1339	11/26/18		91.9%	108	Pending	no	312	0	0	1	Colton
40L	289	03/11/19		92.0%	23	Pending	no	148	1	0	0	Kathryn
41N	713	05/24/19		34.5%	467	Complete	no	9	0	0	43	Nate
41G	1347	07/09/19		25.7%	1001	Pending	no	627	0	0	18	Maddy
76E	429	08/23/19		84.4%	67	Pending	yes	51	0	0	0	Anika
41H	2666	11/15/19		20.8%	2111	Pending	no	553	0	39	1	Julie
39FJ	580	09/24/19		29.0%	412	Complete	no	70	0	0	0	Melissa
76J	62	10/15/19		59.7%	25	Pending	yes	3	0	0	0	Melissa
39G	420	11/04/19		82.9%	72	Complete	no	50	0	0	0	Eyvind
43A	1566	03/17/20		18.8%	1272	Pending	no	277	0	0	0	Anika
40K	3174	03/03/20		3.2%	3073	Complete	no	64	0	0	0	Gene
43B	2533	05/12/20		2.0%	2482	Pending	no	707	0	0	1	Kathryn
40G	366	03/10/20		72.7%	100	Complete	no	52	0	0	0	Kirsa
39E					0	Complete	no	0	0	0	0	Nate
39F	1187	04/21/20		0.3%	1184	Complete	no	154	0	0	3	Colton
40N					0	Pending	no	0	0	0	0	Anna S.
40H					0	Complete	no	0	0	0	0	Kathryn
40D					0	Complete	no	0	15	5	0	Julie
40E					4	Complete	no	381	3	18	0	Eyvind
41K					1	Pending	no	308	0	5	0	Nate
76D					28	Pending	yes	181	1	0	0	Colton
41Q	1071	11/01/11	93.7%	100.0%	0	Pending	yes	233	4	1	0	Maddy
40Q	628	06/11/01	NA	100.0%	0	Complete	no	85	0	1	0	Anna S.
40R	728	06/03/11	95.2%	98.1%	14	Complete	no	90	2	0	0	Anika
41I					26	Pending	yes	1090	0	4	2	Melissa
41S					3	Pending	no	1178	0	0	0	
41C					4	Pending	no	619	11	11	4	
41E					0	Pending	no	311	9	2	0	Maddy
41F					5	Pending	no	379	0	12	4	Anna S.
43BV					59	Pending	no	501	0	9	59	Nate

Preparation for Final Decree Issuance

Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 9/1/20	Open Claims 9/1/20	Compact Complete	Basin Wide Objections Open	Exempt Petitions Filed	Late Claims (Action needed)	Mis-basined/ Missed Decree Claims	Pending Motions to Amend (# of claims)	Master
41U					1	Pending	no	66	0	2	0	Anika
42K					0	Complete	no	141	4	4	0	Anna S.
43BJ					0	Pending	no	62	0	1	0	Julie
43C					1	Pending	no	436	8	39	1	Maddy
43QJ					0	Pending	no	365	1	22	0	Colton
76B					1	Pending	yes	14	1	1	0	Maddy
76C					1	Pending	yes	27	0	0	0	Kathryn
76G					11	Pending	yes	727	1	2	2	Kathryn
76HB					1	Pending	yes	849*	0	21	0	Colton
76HE					3	Pending	yes	849*	2	1	2	Melissa
76I					1	Pending	yes	12	0	1	0	Nate
76K					1	Pending	yes	58	1	2	0	Julie
76M					1	Pending	yes	307	0	18	0	Anika
76N					1	Pending	yes	116	35	0	0	Anna S.
42I	NA	NA	100.0%	100.0%	0	Complete	no	39	0	1	0	Nate
42J	NA	NA	100.0%	100.0%	0	Complete	no	143	0	4	0	Nate
39H	NA	NA	100.0%	100.0%	0	Complete	no	4	0	0	0	Maddy
38H	NA	NA	100.0%	100.0%	0	Complete	no	19	0	0	0	Maddy
40P	NA	04/23/84	100.0%	99.9%	1	Complete	no	113	7	11	0	Kathryn
42L	NA	06/25/84	100.0%	100.0%	0	Complete	no	194	11	2	0	Kathryn
40O	677	04/06/98	NA	100.0%	0	Complete	no	418	0	0	0	Anna S.
76HF	1931	10/25/99	NA	99.8%	3	Pending	yes	849*	0	0	1	Anika
43Q	466	04/24/00	NA	99.8%	1	Pending	no	779	2	7	1	
40S	1451	06/11/01	NA	99.9%	2	Complete	no	234	1	5	0	Nate
42KJ	1083	12/19/05	NA	100.0%	0	Complete	no	450	35	2	0	Anna S.
41O	1623	01/17/08	90.3%	99.6%	6	Pending	yes	255	0	2	0	
41D	2233	02/03/09	86.2%	99.9%	2	Pending	no	574	2	2	0	Kathryn
41QJ	857	04/28/09	88.7%	100.0%	0	Pending	no	541	2	0	0	Anika
42C	916	08/25/09	53.1%	100.0%	0	Complete	no	295	1	0	0	Kathryn
42B	566	08/25/09	73.3%	100.0%	0	Complete	no	56	0	3	0	Kathryn
40M	1464	08/09/10	69.0%	91.8%	120	Pending	no	505	0	4	0	Colton
43E	488	09/26/11	62.5%	100.0%	0	Complete	no	41	0	0	0	Anika
43O	1135	10/03/11	47.9%	99.9%	1	Complete	no	176	0	0	0	Anika

Preparation for Final Decree Issuance

Basin	Number of Claims on Objection List	NOIA Deadline	% Complete 5 Years	% Complete 9/1/20	Open Claims 9/1/20	Compact Complete	Basin Wide Objections Open	Exempt Petitions Filed	Late Claims (Action needed)	Mis-basined/ Missed Decree Claims	Pending Motions to Amend (# of claims)	Master
41Q	1071	11/01/11	93.7%	99.8%	2	Pending	yes	233	4	1	0	Maddy
40J	4789	04/10/11	76.8%	99.7%	15	Pending	yes	609	0	4	0	Anna S.
41J	1062	06/11/12	64.9%	99.3%	7	Pending	no	1206	0	0	0	Nate
76F	1346	06/30/12	96.8%	99.3%	10	Pending	no	442	0	0	0	Maddy
40B	1419	06/16/12	92.4%	99.4%	9	Pending	no	368	0	0	0	Julie
41R	848	03/12/12	97.2%	100.0%	0	Pending	no	173	0	1	0	Anika
41T	1471	09/17/13	100.0%	100.0%	0	Pending	no	283	0	0	0	
41A	1436	02/17/15	98.6%	99.6%	6	Pending	no	819	1	0	1	
41B	992	02/17/15	94.2%	97.1%	29	Pending	no	665	1	0	0	
42A	510	12/15/14	87.1%	93.9%	31	Complete	no	126	0	0	0	Nate
43N	100	12/01/14	100.0%	100.0%	0	Pending	no	16	0	0	0	
40I	414	01/06/15	99.5%	99.5%	2	Pending	no	15	0	0	0	Maddy
40F	1218	04/28/15	95.6%	95.6%	53	Pending	no	44	0	0	0	Anna S.
42M	1868	07/20/15	99.1%	99.0%	19	Complete	no	513	0	0	0	Anika
40EJ	1134	10/19/15		99.6%	4	Pending	no	345	0	0	1	AWJ
40T	161	12/22/15		91.3%	14	Pending	no	28	0	0	0	Maddy
41M	850	09/20/16		63.1%	314	Pending	no	106	0	0	0	Anna S
41P	1380	12/20/16		95.7%	59	Pending	no	156	0	39	0	Melissa
41L	620	04/24/17		82.6%	108	Pending	no	31	0	1	0	Anna S.
76HA	1858	06/13/17		64.6%	657	Pending	no	849*	0	0	0	Anika
43P	1609	07/25/17		77.1%	368	Complete	no	205	0	39	0	Julie
TMAL	17	01/13/18		100.0%	0	n/a	no	0	0	0	0	CWJ
76L						Pending	no	496	0	0	0	
76LJ						Pending	no	587	176	0	0	

Percentage complete is calculated based on number of issues on the objection list compared to the number of claims open and could result in a negative %. Issues include but are not limited to motions to amend, exempt claims, splits, and claims called in on-motion of the court. Greyed out cells indicate that the the elapsed time has not been reached.

*= total exempt claims in 76H basin group.

All italicized basins will be decreed [again] to include exempt petitions/claims.